

## SULZER FREE TO USE DONATIONS WAY HE DESIRED

No Restrictions to Two Gifts,  
According to the Testimony  
of Two Witnesses at Im-  
peachment Court Session.

## MOTION TO QUASH IS TO BE DECIDED LATER

Judge Cullen Recommends That  
Testimony be Heard First  
and is Upheld by a Vote of  
Forty-nine to Seven.

ALBANY, N. Y., Sept. 25.—Gov. Sulzer was free to use the \$2,500 check given him by Jacob H. Schiff, a New York banker, in any way he chose. The banker so declared Wednesday on the witness stand at the impeachment trial of the governor. The designation of the check across its back as a contribution to the governor's campaign fund, did not restrict its use to that purpose, Mr. Schiff said.

Henry Morgenthau, ambassador to Turkey, formerly chairman of the finance committee on the national democratic committee, testified that when he gave the governor a check for \$1,000—a personal contribution—he had placed no limitations on its use. He said, however, that he had made the gift to help the governor in his campaign and had been "foolishly generous."

These are two of the alleged campaign contributions which the articles of impeachment against the governor charge that he misused.

Is Not Larceny.  
"It possibly cannot make any difference in this case, but if I were sitting in a criminal prosecution, said Judge Edgar M. Cullen, president of the court, "I should have to charge the petit jury that if the owner consented to the use in any manner of the money or check given, by the party to whom it was delivered, such use would not constitute larceny."

This testimony and the ruling of the presiding judge thereon marked the opening of the actual trial of the impeached executive, which up until noon Wednesday had been delayed by arguments of objections of counsel for the defense. At that hour all obstacles to the taking of testimony had been swept aside by vote of the court, thereby permitting Eugene Lamb Richards of counsel for the managers of the impeachment, to outline the evidence against the governor. This opened the case.

The last of these obstacles—the motion of the defense to quash the three articles of impeachment dealing with the governor's alleged misuse of his campaign contributions—was disposed of Wednesday in this manner. Presiding Judge Cullen overruled the motion without prejudice to its merits and recommended the decision be reserved until the testimony was all in. This recommendation—termed a pro forma opinion—was adopted by the court by a vote of 49 to 7.

Schiff is First Witness.  
Schiff took the stand after counsel for the prosecution, with Isidor J. Kressel as chief examiner, had called on Secy. of State Mitchell May, and various officers of the assembly and senate to prove that Gov. Sulzer had been duly nominated, elected, sworn into office and inaugurated.

The banker testified that he had known the governor for many years; that he had written him a letter congratulating him upon his nomination, and that on Oct. 16, 1912, the governor had called on him at his office in New York.

"Gov. Sulzer came into my office," said Mr. Schiff, "and he discussed the general political situation with me. He was gratified that he was going to have my support. I asked him whether there was anything special I could do for him, and he said:

"Are you going to contribute to my campaign fund?"

"I said, 'yes, I shall be willing to do so.'"

"He said, 'how much will you contribute?'"

"I said, 'I said \$2,500.'"

"He replied, 'can you make it any more?'"

"I then said to him, 'no, that is about as much as I care to give you.'"

"Then he said, 'all right, please make your check to the order of Louis A. Sarecky.'"

Sarecky was the governor's campaign secretary.

Check Dated Oct. 16.  
The check, dated Oct. 16, drawn to Sarecky's order and signed by the name of the banker's firm—Kuhn, Loeb & Co.—was identified by the witness.

"Now, did you, in this conversation, or at any time," asked Louis Marshall of the governor's attorneys, "impose any limitation or condition upon the use which was to be made of that money by him?"

"There was nothing said," replied Mr. Schiff.

"Did you intend that it should be used for any specific purpose?" persisted Mr. Marshall.

Mr. Kressel jumped to his feet with an objection.

## SECV. DANIELS MAKES APPEAL FOR PATRIOTISM

Says Press by Supporting Foreign Policies of Government  
Plays an Important Part in  
Keeping Peace.

## UNWISE EDITORS DIG THE GRAVES OF WAR

Associated Press Banquet at  
Indianapolis is Well Attended—  
Several Talks Are Made  
by Notables.

## JANE SMITH TO BE "QUEEN" OF FALL FESTIVAL

After practically an all night struggle with the avalanche of ballots that fairly swamped the committee in charge of the queen contest of the

Fall exposition the following final totals were given:

Jane Smith	10,622
Edna H. Smith	5,694
Florence Meyers	2,826
Lillian Otolski	2,276
Eva Jackson	1,162
Freda Frank	630
Mary Milbush	628
Wilma Witucki	673
Lena Eskin	482
Ester Kaplan	394
Mary Jaskowak	287

The contest was a fair and spirited one and while it started a bit slow the finish was fast enough to suit any one. Over 14,000 ballots were cast the final day of the voting and a total in excess of 29,000 during the entire time.

Miss Smith was officially notified of her victory today and will choose her four maids of honor to accompany her on her ride to the throne. The procession with band and military escort will leave the Smith residence, 512 W. Lindsay st., at 7:30 Monday evening. After passing over the downtown streets they will proceed to the throne, which will be erected in the court house yard near the soldiers' monument, where the coronation ceremonies will take place. After a speech by Judge G. A. Farabaugh, the presentation of the handsome diamond ring and crown, the golden key to the city will then turn on the lights of the Fall exposition for the first time, officially opening the festivities.

## RUSH PREPARATIONS FOR NEW BALKAN WAR

BELGRADE, Sept. 25.—Preparations are being rushed for another Balkan war, the third in less than a year. All Serbian reservists are being mobilized to drive back an alien army of Turks who are advancing from Dibra along the entire southern frontier of Serbia.

The government has commandeered all the railway lines running south and only troop trains are being moved. Despite any protests that Europe may make King Peter threatens to annex of Albania which was formed after the first Balkan war.

## ATHENS, Sept. 25.—King Constantine Thursday ordered that the Greek outpost won in the two Balkan wars be strengthened. The government fears a general renewal of hostilities. Turkey is held responsible for the fighting.

## CALIFORNIA MINE OUTPUT SHOWS A BIG INCREASE

WASHINGTON, Sept. 25.—The mine output of California in 1912 amounted to \$26,283,946, an increase of \$1,269,269 over the previous year. The gold produced was valued at \$19,713,478, a decrease of about \$25,000 over 1911. The silver produced amounted to \$789,584; copper, \$5,519,526, an increase of nearly \$1,000,000 in value. Lead, \$51,512, and zinc \$299,846. These figures are contained in a report issued by the geological survey Thursday. The report notes that \$3,000,000 worth of gold mined came from Placer mines.

## INDIANAPOLIS, Sept. 25.—With Secretary of the Navy Daniels the principal speaker and guest of honor, the annual banquet of the Indiana members of the Associated Press was held at the Claypool hotel here Wednesday night. The banquet hall was decorated with American flags and back of the speaker's table was draped the flag of the secretary of the navy.

Mr. Daniels sat in Indianapolis was brief. His train was three hours and a half late, not arriving until 4:30, and he was to start on his return to Washington at 10:45 Wednesday night. He left for his train shortly after concluding his speech, which was given long applause.

Other speakers of the evening were:

Gov. Ralston, Pres. Wm. Low Bryan of Indiana university, and M. E. Stone of New York, general manager of the Associated Press.

Besides the four on the toast list and Mr. Fairbanks, the toastmaster, the following were seated at the speakers' table:

James Whitcomb Riley, Meredith Nicholson, Addison C. Harris, U. S. District Judge A. B. Anderson and John C. Schaffer.

## Floral Battleship.

In front of the Secretary of the Navy Daniels was a large beautiful floral battleship, typifying the honor guest's position in Pres. Wilson's cabinet. The banquet was seated six at a table and in the center of each table was a handsome bouquet of autumn flowers.

Preceding the banquet, Secy. Daniels held a reception in the dining room of the hotel and all the guests were presented to the navy head by Lieut. Armstrong, U. S. N.

Mr. Fairbanks, in introducing Secy. Daniels, pronounced a standing toast to Pres. Wilson, which was drunk by all amid applause. The toastmaster compared the color of American battleships with those of other great nations and said the white of the United States was vessels stood for peace to all men and he concluded "May the white coats of the United States war dogs never be stained by the blood of any people."

An appeal for loyalty and patriotism in the American press, with phases of the existing Mexican situation presented as an example of the result of mischievous misadventure of paper publications, marked an address by Mr. Daniels.

Himself an editor, Mr. Daniels talked freely with his fellows about the privileges and duties of the newspaper man, dealing particularly with the part to be played when the interests of the nation are at stake in an international controversy.

"Provisional Pres. Huerta, in his recent message to the Mexican congress," said the secretary, "made a statement which arrested the attention of every American, when he said, 'besides the fratricidal strife which exhausts us, our tenseness of our diplomatic relations with the government of the United States, although luckily not with that people, has put us in a state of apprehension and retarded the complete pacification of the republic.'"

"This official utterance of the acting head of the government in Mexico City not only attracted national attention, but challenged national denial that any sentiment existed in the United States to warrant the declaration. But what was the basis which led Huerta into his error? What plausible ground did he have for asserting that public opinion was behind the president of the United States in the latter's efforts to arrive at an amicable understanding with Mexico?"

The court of the wish was father to the thought with Gen. Huerta, but it must be admitted that the attitude of some of the newspapers of the United States, and occasional expressions by well known Americans might have given the impression that the people were divided in their opinion on the subject of the recognition of the Huerta regime.

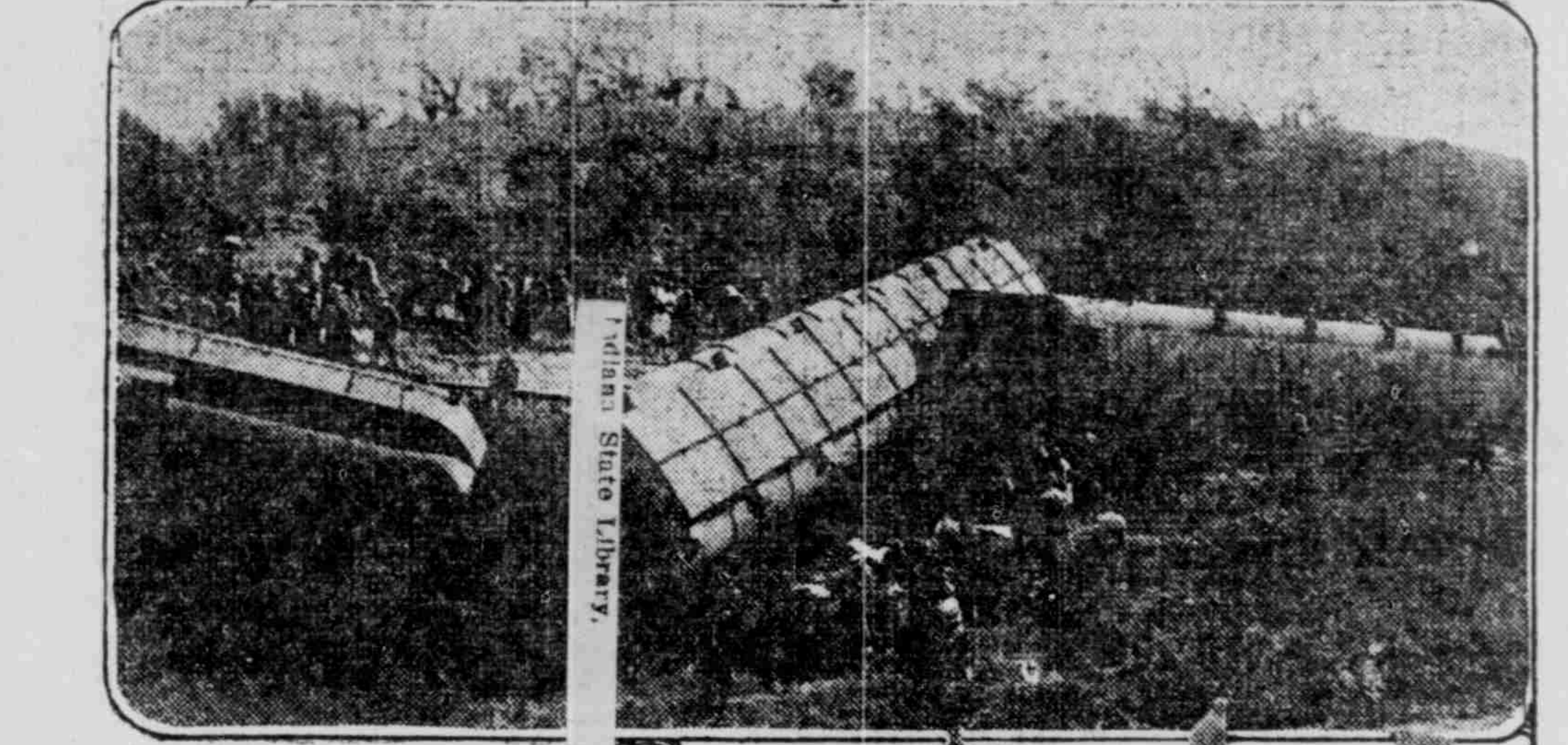
It is far from my purpose to call in question that the editors of these newspapers and others who were conscientious in their convictions," Mr. Daniels continued.

They are most all excellent gentlemen and patriots at heart, but they were misguided by misunderstanding the true situation and misjudging the sentiment of the people of this country, as has been demonstrated by the practically unanimous sentiment of both houses of congress.

Jump at Conclusions.  
"The representatives of the Republic of Mexico were quick to jump at the conclusion that these agencies represented a large part of public opinion in this country, and of course the views of this segment of the American press were telegraphed to Mexico, copied in the Huerta press and were eagerly seized by that government to maintain its position."

"To be sure free speech and a free press are two of our most precious possessions. It must be remembered, however, that liberty in this respect is at all times restricted by the manifold rights of others; liberty of speech and liberty of the press in attack upon the

IF YOU ARE GOING TO RIDE ON A PASSENGER TRAIN AND VALUE  
YOUR OWN LIFE, GET IN A STEEL COACH—PICTURES SHOW WHY!



The upper picture shows an overturned Rock Island train of solid steel coaches. None were telescoped, and not a person was killed, although about 20 were hurt by being thrown out of their seats.

The wreck occurred near Manhattan, Kas., a few days ago. While the windows were broken, none of the steel constructed cars suffered any greater injury, and doubtless many lives were saved because of the fact that the cars were not built of wood.

In the lower picture are the old-fashioned wooden coaches, a photograph of a recent wreck on the ill-fated New Haven line. Notice how the old wooden coach was telescoped; how its sides and roof and ends bulged out and splintered. Most of the passengers were killed.

Oh, yes, the traveler's chances of living long are better when he goes over the railroad of steel coaches.

government can never be permitted to weaken the authority of the nation's responsible head dealing with a foreign power.

"The older nations of the world have learned during their centuries of experience the vital necessity of having their foreign policies supported by a united public and press. What we in America yield as a patriotic duty, they in the old world countries expect not only through patriotism, but as a matter of bounden obligation from the individual to the state.

Enemies Become Friends.  
"Those two great nations, England and France, were for centuries at war until they regarded each other as traditional enemies. But the day came not long ago when the wise counsels of a British king and a French president evolved that notable compact known as the 'Entente cordiale.' Not a journal in London, Paris or in any corner of either country withheld its support and praise for that international policy by which two great nations, historic enemies, became friends."

"Ordinarily the extremes by which old world nations demand united support of international policies are contrary to our ideas and institutions. All we can hope to achieve is the free and independent action of each individual editor, based on his patriotic impulses, his love of country, the quickening of all ennobling sentiments, and the ethical principle firmly established in American journalism that the voice of the nation's head, once expressed on a foreign question, is the voice of the united country."

"There is a sensitiveness between nations. Supposed slights are often more potent in provoking war than wrongs or injustice. If the American press publishes what unjustly inflames the American mind against another nation, it is not to be expected that a sensational press of the country will copy such inflammatory utterances and reply in kind? Such publications may be like supplying a burning match to a mass of combustibles. If the conflagration follows who expects that the unwise editors dug the graves that war causes?"

## MANUEL'S WIFE SICK; RETURN IS DELAYED

MUNICH, Sept. 25.—The return to England of ex-King Manuel of Portugal and his wife, Princess Victoria of Baden, is being delayed indefinitely on account of the latter's illness.

The attending physicians declared Thursday that Princess Victoria was suffering from a temporary ailment but they refused to reveal its nature.

KALAMAZOO, Mich.—Harry Pettit has spent a \$50,000 inheritance in the last two years and will begin work Thursday morning. Exactly 24 months ago he received the golden plum and now he can only look back over a life of pleasures and vacations during which he has traveled nearly around the world.

## GETS GLAD HAND FOR STIRRING UP OIL LAND GRABS

BY GILSON GARDNER.

WASHINGTON, Sept. 25.—Representative Thompson of Illinois, the man who stirred up the Southern Pacific-California oil land grab with his resolution a day or so ago, is receiving telegrams and letters from all parts of the country commending his action. Some of them throw considerable additional light on this delayed government suit. A wire from D. J. Hinkley of Los Angeles, California, adds a new feature to the case. Hinkley is one of the prominent attorneys for a group of mineral claimants who filed on the land which is being illegally held by the Southern Pacific. These claimants, on the advice of Hinkley, refused to join with the Burke group of claimants in their suit. The Burke suit, in which, by direction of Assistant Attorney-General Knaebel, the government joined, took the weakest possible legal position, contending that patents had passed to the Southern Pacific, instead of contending that the excluding clause prevented the passage of title. Hinkley is co-operating with Butler, the man who dug up the case originally, refused to aid in prejudicing the government's case by joining in the Burke suit. Here is what he has to say about it. In a wire just received by Rep. Thompson:

Hon. Charles M. Thompson, House of Representatives, Washington, D. C.—Townsend's statement in press that Southern Pacific is according to government for oil taken from California lands absolutely false. Assistant Attorney-General Knaebel is now seeking to get to supreme court by backdoor methods. Admitted suits against mining claimants and government. About fifty Southern Pacific drilling rigs running continuously on lands from which it takes oil. Government's four years' delay absolutely inexcusable and greatly advantageous to railroad company. Butler only man in department of justice who did effective work. Request without cause or hearing when railroad learned he was preparing to apply for injunction and receiver and was ready to institute additional suits to protect government's interests and absolutely nothing done by department of justice since. Evidence exists that department officers seek to establish title in railroad. The whole affair is crooked and should be thoroughly investigated by congress immediately. It is rotten.

(Signed) D. J. Hinkley.  
Mr. Thompson is investigating the record of Assistant Attorney-General Knaebel, who is a Guggenheim appointee held over from the Taft administration, with a view to taking further action in the case.

Representative Cresser of Ohio is busy doing missionary work on members of the house committee on the District of Columbia, trying to secure action on his resolution calling for municipal ownership of street railways in Washington. Cresser is trying to secure a hearing on his bill, and Representative Ben Johnson, chairman of the committee, is inclined to grant such a hearing. Mr. Cresser also wants the committee to employ the services of an expert in street railway valuation to check up on the watered capitalization of the local street railway companies with a view to putting the real facts in the hands of the committee.

The office of Representative J. W. Bryan of Washington looks like the sorting room of a big post office. His mail is loaded with hundreds of requests for his recent speech on the

Poindeexter-Bryan bill for government operated coal mines, railroads and steamship lines in Alaska. Bryan is now at his home in Seattle, but his faithful secretary is on the job, and in a week or so the mails will carry out hundreds of copies of this speech to those who have requested it.

Vice-President and Mrs. Marshall have given up as a hopeless job their search for a moderate priced house in Washington. There is no such thing as a moderate rental price in Washington for any kind of a house. Nearly every house which the vice-president and his wife looked at was priced at from \$2,500 to \$8,000 a year rental. The vice-president refused to go above \$2,000 at the outside. He thought he ought to get a decent dwelling at that figure. When Mr. Marshall has lived in Washington a little longer he will know more about the power of the real estate ring in keeping up land values and rentals.

Now comes a democrat attacking the party caucus. This time it is representative Walter Elder of Louisiana, one of the three house democrats who voted against the administration currency bill. "If I judge the times and signs aright," he said, "the day of the party caucus, except on strictly party questions, is about to end. The game as now played by some party leaders is fast and loose. If they see that they have a majority on a particular question of amendment, it is taken into the caucus, and those opposed to it are bound and gagged, delivered body and soul."

## MISS GRACE DREW IS SUED BY HER HUSBAND

John W. Drew of St. Louis Was Married to Actress in September, 1907.

ST. LOUIS, Sept. 25.—Suit for divorce in the circuit court at Clayton, Mo., against Miss Grace Drew, the comic opera prima donna, revealed to St. Louis friends of the actress Wednesday that in reality she is Mrs. Drew, the wife of John W. Drew, a carriage manufacturer of St. Louis. Mr. Drew in his petition for divorce charges desertion. He stated that he and his wife were married in September, 1907, and that they separated May 25, 1912.

When in St. Louis Mrs. Drew lived at the home of her mother, Mrs. J. M. George. She is now in New York rehearsing for a new musical comedy.

Mrs. Drew was married when 17 years old and after her marriage was sent to Europe by her husband to study music.

## Anti-Home Rulers Draw Up Proclamation of Their Allegiance to King George

BELFAST, Sept. 25.—Members of the Unionist provincial government in Ulster province are drawing up a proclamation of allegiance to King George to be issued upon the same day that the home rule bill is put upon the statute books. It will pledge the loyalty of all Unionists to the king and reject autonomy for Ireland.

The Orangemen's motto is to be: "One king, one flag, one parliament." The leaders of the anti-home rule movement which threatens to plunge Ireland into civil war are Sir Edward Carson, who has contributed \$100,000 to fight home rule, and the Marquis of Londonderry, former lord lieutenant of Ireland.

The home rulers charge that Sir Edward and the others in the provisional government are importing professional soldiers of fortune and arming them to fight the Catholics. Feeling is at fever heat throughout the north.

## CAPITAL POLICE THINK MURDERER IS STILL IN CITY

Are Making Search of Rooming  
Houses and Hotels for Joseph  
Ellis, Alleged Slayer of  
Joseph Schlansky.

## TOOK ADVANTAGE OF LIKENESS TO BROKAW

Father of Brokaw Claims Son  
Has an Alibi—Son Says He  
Never Was in Louisville Nor  
Indianapolis.

INDIANAPOLIS, Sept. 25.—Working on the theory that Joseph Ellis, who they say murdered Joseph Schlansky, a merchant here Monday, still is in Indianapolis, the entire police force Wednesday night is searching rooming houses and hotels, hoping to find trace of the man.

The police kept late Wednesday night the police that a man answering the description of the man wanted and closely resembling the picture published, had applied at her home for a room.

Audra Baker Anderson, who believes Roy Anderson, whom she married last July is Ellis, says that she met the man here and at that time was told he was a chauffeur. This the police say, if Anderson and Ellis are the same man, leads them to believe that the robber made his headquarters in Indianapolis.

Mrs. Anderson, who shot herself when convinced that it was her husband who had killed Schlansky, still is in a critical condition, physicians said.

Used Brokaw's Picture.  
The robber who has operated in several cities took advantage of his likeness to Fred Brokaw, a rooming house keeper late Wednesday night at San Francisco, to hide, the detectives believe. They say that it is barely possible that the merchant robbed in Pittsburgh identified the picture of Brokaw as the man who attacked him, when he really was a victim of the man believed to be Ellis.

The picture of Brokaw also was identified as Maurice Raff of Louisville, as the man who robbed him last Saturday and by sons of Schlansky and a pawnbroker here to whom Raff's watch was pledged for a few dollars.

The fact that an excellent description of the Schlansky murderer has been sent broadcast without results causes the police to believe the man is in this city.

## CLAIMS AN ALIBI

TACOMA, Wash., Sept. 25.—H. A. Brokaw, father of Fred Brokaw, told the police Wednesday that an absolute alibi could be offered in defense of the young Tacoma man whose name is strangely coupled with a murder in Indianapolis and a robbery in Pittsburgh. Mr. Brokaw said Fred was in Tacoma Sept. 1 and left shortly after for San Francisco, where he was in Portland and San Francisco. Mr. Brokaw admitted, however, that the photograph in the police circular is that of his son.

It is the height of ridiculousness to connect Fred with these crimes," said Mr. Brokaw. "Evidently some of his companions have taken Fred's photograph and name and have worked a game on the police. I have received stories of this before."

DOESN'T KNOW ELLIS.  
SAN FRANCISCO, Sept. 25.—Brokaw declared Wednesday that he would not extradite. He gave his name as Fred Harold Brokaw, 22 years old, son of Homer Brokaw, now of Tacoma. He denied that he had ever been in Louisville or Indianapolis and gave a complete account of his movements backed up by receipts from every hotel in which he had ever stayed.

The portrait sent out in the Pittsburgh circular identified most positively as that of himself. In Pittsburgh he was arrested for obtaining money under false pretenses but the case was compromised. Later he was sent to the workhouse for vagrancy and it was then the picture shown in the circular was taken.

The prisoner advanced the theory that Ellis said the Pittsburgh circular, noticed that he resembled the photograph and forthwith took the name Brokaw. He said he did not know Ellis.

VINCENNES, Ind., Sept. 25.—Joseph Ellis, who is believed to be the man who killed Joseph Schlansky at Indianapolis Monday, is thought to have been here Tuesday. A man answering the description of the murderer called at the home of Mrs. C. F. Haney late Tuesday afternoon and asked for food. He was invited into the house and given a meal. The description of the murderer, Mrs. Haney says, tallies exactly with that of the slayer. The man told Mrs. Haney that he was on his way to Springfield, Ill.

## POINTS WARNING TO U. S. FROM HISTORY OF ROME

WASHINGTON, Sept. 25.—Sound-ing a warning to the United States not to follow the course which led to the decline and fall of the Roman republic, Sen. James Hamilton Lewis of Illinois has written a book in which he compares the histories of the two republics. His work is called "The Two Great Republics," Rome and the United States."

Its frontispiece is a picture of the ruined Rome forum, which is declared by some to be intended as a pointed omen.

KENDALLVILLE.—John J. Franklin, 12, the grand-nephew of Benjamin Franklin, died at his home at Boyne Falls, Mich., Wednesday.

Just one  
day to  
**Register**  
This year  
it's  
**Oct. 6**